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08 APR -9 PM 4:58
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MR. Aaron L. Cooper E-28703
K.V.S.P. - ASU2-159
P.O. BOX 5102
Delano, Ca. 93216
IN Pro-Pec

UNITED STATES DISTRICT COURT for the
NORTHERN DISTRICT of CALIFORNIA

Aaron L. Cooper E-28703

Plaintiff

V

Jeanne S. Woodford Dir. C.D.C.R.

Resident

Case # CV.08-1516 SI

MOTION - REQUEST TO RECUSE
ENTIRE OFFICE OF THE
ATTORNEY GENERAL

INTRODUCTION

I, Aaron L. Cooper is the Plaintiff in the above title case number in Habeas Corpus Presently before this court.

This matter has been litigated since 1995/1996 conviction and Sentence and 2004 Reversal and Retrial.

The litigation thus far has been without counsel on Habeas State Proceedings.

Plaintiff served by mail the Director of C.D.C.R. with the current Habeas Corpus under the above case number CV 08-1516 SI

Plaintiff is in the custody of the Director of C.D.C.R. serving the current illegally sentence and conviction levied by Alameda County Superior Court and California Court of Appeals.

ARGUMENT

Plaintiff presents this as his Affidavit showing/

1 claiming bias by the Office of the Attorney General.

2 First and possibly the most important fact is that
3 the Habeas Corpus Proceedings are now in the Federal
4 arena and ~~the the~~ not the State. During the state
5 Proceedings Plaintiff was versus the People of California of
6 which the Office of the Attorney General represents.

7 Now Plaintiff is versus Respondent as an individual
8 versus an individual. The Respondent is not sued as
9 a state entity, but as the individual holding title of
10 Director of C.D.C.R. and this Plaintiff feels and believe
11 that she is not under the Attorney General's Protection of
12 Representation.

13 The bias that is alleged by Plaintiff is the financial
14 behemoth that the Office of the Attorney General is with it
15 Man Power against a Pro-Per Petitioner. For the Attorney
16 General the Representative of the State of California to
17 bring to bear all the Resources and Man Power against a
18 Federal writ Petitioner is and can only be seen as a
19 Elephant stepping on a blade of grass.

20 Especially when Petitioner is no longer versus the California
21 State or the United States per se.

22 Plaintiff understands that this is a novel Request in this
23 type of Proceeding, also by the scarcity of case law on this
24 topic. But Petitioner believes that there is a difference
25 between the State of California and the Director of C.D.C.R.
26 and if the difference is also viewed by this Court then
27 this claim by Plaintiff is valid and entitled to relief
28 from the brute force of the Goliath Office of the Attorney

General bringing that office with all it man Power against
 Petitioner blocking Petitioner access to Due Process of
 the Law which is a Constitutional Right.

Plaintiff believes that the Director of C.D.C.R. the
 properly named Respondent in this Habeas action should
 be personally responsible for the necessary responses to
 the Habeas Corpus case #CV 08 1516 by either personally
 responding or by using personal funds to hire an attorney
 outside the Office of the Attorney General. State funds
 should be not used also by Director of C.D.C.R. because
 the California State funds is what creates the bias against
 Petitioner.

In Part Plaintiff relies upon Penal Code 1424 in that Recusal
 is warranted when Bias is Proven.

And in Part upon 28 USC § 455 and 144 as they relate to
 to Recusal to correct a Proven Bias against the office of
 Attorney General.

Petitioner Prays that this Honorable Court grants this
 Request of Recusal to ensure that this Plaintiff can call upon
 his constitutional Right of Due Process of Law to gain relief
 from the miscarriages of Justice suffered in the lower court
 proceedings without the Attorney General impulsive oppositional
 reaction to this Plaintiff.

I declare that the foregoing is true and correct to my
 belief and Knowledge.

Dated APRIL 6, 2008

Aaron L. Cooper E28703
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 IN PRO. PER

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Kern Valley State Prison
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